



General Assembly

January Session, 2015

Raised Bill No. 6877

LCO No. 3953



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT CONCERNING A MINIMUM WORK WEEK FOR PERSONS
PERFORMING JANITORIAL WORK.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2015*) (a) For purposes of this
2 section:

3 (1) "Covered employee" means any person employed by a covered
4 employer to perform janitorial work in or about a covered location.
5 Covered employee does not include any person providing janitorial
6 work in or about a covered location solely on Saturday or Sunday or
7 both;

8 (2) "Covered employer" means any person, firm, business,
9 educational institution, nonprofit agency, corporation, limited liability
10 company or other entity, including the state or any political
11 subdivision thereof, that (A) (i) directly employs at least one individual
12 who performs janitorial work, or (ii) contracts or subcontracts for the
13 services of at least one individual who performs janitorial work, and
14 (B) owns or operates a covered location;

15 (3) "Covered leave" means any paid or unpaid temporary leave
16 voluntarily taken by a covered employee pursuant to (A) any
17 applicable state or federal law, (B) any written employee handbook, or
18 (C) written request initiated by the covered employee;

19 (4) "Covered location" means (A) a covered office location having an
20 area of not less than one hundred thousand square feet, (B) a
21 multifamily dwelling consisting of fifty or more units and containing
22 one or more elevators, (C) a private or public institution of higher
23 education, or (D) a museum, as defined in section 11-80 of the general
24 statutes; and

25 (5) "Covered office location" means (A) an office building, (B) a
26 continuous, commonly owned office park, or (C) a group of office
27 buildings that (i) have common ownership or management, and (ii) are
28 contiguous or have consecutive addresses;

29 (6) "Janitorial work" means work performed in connection with the
30 care or maintenance of buildings, including, but not limited to, work
31 customarily performed by cleaners, porters, janitors and
32 handypersons;

33 (7) "Minimum work week" means the minimum number of
34 compensated hours provided to a covered employee in any work
35 week, except for weeks in which the covered employee is taking
36 covered leave; and

37 (8) "Work week" means a fixed, regularly recurring period of one
38 hundred sixty-eight hours or seven consecutive twenty-four-hour
39 periods;

40 (b) On and after January 1, 2016, the minimum work week for a
41 covered employee performing janitorial work for a covered employer
42 in or about a covered location shall be thirty hours per work week.

43 (c) Each covered employer shall provide notice to each covered

44 employee (1) of the entitlement to a minimum work week, and (2) that
45 the covered employee has a right to file a complaint with the Labor
46 Commissioner for any violation of this section. Covered employers
47 may comply with the provisions of this section by displaying a poster
48 in a conspicuous place, accessible to covered employees, at the covered
49 location and the covered employer's place of business that contains the
50 information required by this section in both English and Spanish. The
51 Labor Commissioner may adopt regulations, in accordance with
52 chapter 54 of the general statutes, to establish additional requirements
53 concerning the means by which covered employers shall provide such
54 notice.

55 (d) Any covered employee aggrieved by a violation of the
56 provisions of subsection (b) or (c) of this section may file a complaint
57 with the Labor Commissioner. Upon receipt of any such complaint,
58 said commissioner may hold a hearing. After the hearing, any covered
59 employer who is found by the Labor Commissioner, by a
60 preponderance of the evidence, to have violated the provisions of
61 subsection (b) of this section shall be liable to the Labor Department for
62 a civil penalty of up to five hundred dollars for the first violation and
63 up to one thousand dollars for any subsequent violation. Any covered
64 employer who is found by the Labor Commissioner, by a
65 preponderance of the evidence, to have violated the provisions of
66 subsection (c) of this section shall be liable to the Labor Department for
67 a civil penalty of up to one hundred dollars for each day that such
68 covered employer fails to post notice, provided such penalty shall not
69 exceed five hundred dollars. The Labor Commissioner may award the
70 covered employee all appropriate relief, including payment of back
71 wages. Any party aggrieved by the decision of the commissioner may
72 appeal the decision to the Superior Court in accordance with the
73 provisions of chapter 54 of the general statutes.

74 (e) The Labor Commissioner shall administer this section within
75 available appropriations.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2015</i>	New section
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Statement of Purpose:

To institute a minimum work week of thirty hours for certain individuals who perform janitorial work at certain locations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]